

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371

09/530795

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5): To be assigned

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US98/23532	November 5, 1998	November 5, 1997

TITLE OF INVENTION: ENHANCED INFANT FORMULA CONTAINING LIPOSOME ENCAPSULATED NUTRIENTS AND AGENTS

APPLICANT(S) FOR DO/EO/US: Brian C. KELLER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 - A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information: Notification of Transmittal of Int'l Preliminary Examination Report; return receipt postcard.

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on May 5, 2000.

*R. Lynn Boyden**for*

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.49) To be assigned 09/530795		INTERNATIONAL APPLICATION NO. PCT/US98/23532	DOCKET NUMBER: 270142000300																									
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$840.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$670.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO by international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provision of PCT Article 33(1)-(4)\$970.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00</p>																												
ENTER APPROPRIATE BASIC FEE AMOUNT = <u>\$840.00</u>																												
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).</p>																												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>14 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$0</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$78.00</td> <td>\$0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$260.00</td> <td>\$0</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td><u>\$ 840.00</u></td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	14 - 20 =	0	x \$18.00	\$0	Independent claims	2 - 3 =	0	x \$78.00	\$0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0	TOTAL OF ABOVE CALCULATIONS =				<u>\$ 840.00</u>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																								
Total claims	14 - 20 =	0	x \$18.00	\$0																								
Independent claims	2 - 3 =	0	x \$78.00	\$0																								
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0																								
TOTAL OF ABOVE CALCULATIONS =				<u>\$ 840.00</u>																								
<p>Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§ 1.9, 1.27, 1.28)</p>																												
SUBTOTAL = <u>\$ 840.00</u>																												
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).</p>																												
TOTAL NATIONAL FEE = <u>\$ 840.00</u>																												
<p>Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property + <u>\$0</u></p>																												
TOTAL FEES ENCLOSED = <u>\$ 840.00</u>																												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"></td> <td style="width: 10%; text-align: center;">Amount to be refunded:</td> <td style="width: 20%; text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: center;">charged:</td> <td style="text-align: right;">\$</td> </tr> </table>					Amount to be refunded:	\$		charged:	\$																			
	Amount to be refunded:	\$																										
	charged:	\$																										
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$840.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my <u>Deposit Account No. 03-1952</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <u>Deposit Account No. 03-1952</u>.</p>																												
<p>NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																												
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Thomas G. Wiseman Morrison & Foerster LLP 2000 Pennsylvania Avenue, N.W. Suite 5500 Washington, D.C. 20006-1888</p>																												
 <small>SIGNATURE</small>																												
<p>Thomas G. Wiseman <u>Registration No. 35,046</u></p>																												